

Entered - 3-2-01 - sb  
CL - 01L0156 ALEXIS HOLMES

01- R -1245

CLAIM OF: **WHITE AND ASSOCIATES**  
C/O JERRY SHAFER  
3225 Roswell Road, Suite 400  
Atlanta, Georgia 30305

For damages alleged to have been sustained as a result of a vehicular accident on February 12, 2001 at 1067 Alta Avenue.

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:

**BE IT RESOLVED** by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **WHITE & ASSOCIATES REAL ESTATE C/O JERRY SHAFER** the sum of **\$920.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on February 12, 2001 at 1067 Alta Avenue as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

**APPROVED**

**SEP 13 2001**

WITHOUT SIGNATURE  
BY OPERATION OF LAW

**FAVORABLE REPORT**

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: **SEP 04 2001**

CHAIR: *C. T. Mayhew*

*Clara Winslow*

ADOPTED BY

SEP 04 2001

COUNCIL

**CERTIFIED**  
SEP 04 2001  
*Ruth Dunbar*  
MUNICIPAL CLERK

**CERTIFIED**  
SEP 04 2001  
ATLANTA CITY COUNCIL PRESIDENT  
*Russell A. Ford*



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**01-R-1245**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **White and Associates c/o Jerry Shafer** in the sum of **\$920.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a **vehicle accident on February 12, 2001 at 1067 Alta Avenue** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

SEP 04, 2001

SEP 13, 2001

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0156

Date: 2/26/01

Claimant /Victim WHITE & ASSOCIATES REAL ESTATE C/O JERRY SHAFER

BY: (Atty) \_\_\_\_\_

Address: 3235 Roswell Road Suite 400 Atlanta, Georgia 30305

Subrogation: Claim for Property damage \$ 920.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 9/21/00 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 2/12/01 Place: 1067 Alta Avenue

Department Public Works Division: Solid Waste

Employee involved Josephus Darden Disciplinary Action: Pending

**NATURE OF CLAIM:** The claimant sustained damages to its property when the driver of a City vehicle stopped to pick up a co-worker, and backed into the awning on the claimant's building.

### INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Other \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures X Diagrams X Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - ALEXIS HOLMES

### RECOMMENDATION:

Pay \$ 920.00 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 02-17-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
CLERK OF COUNCIL  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

FEB 26 2001

RE: CLAIM FOR DAMAGES

Today's Date: 2/24/01

Holmes  
03/01/01  
JH

Dear Clerk of Council:

ENTERED - 3-2-01 - SB  
01L0156 - ALEXIS HOLMES

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 920.00 property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of Incident: 2/12/01  
(month/day/year)
2. Police called: ✓  
Yes No
3. Location of Incident: 1067 ALTA AVE. ATL., GA. 30307
4. Name of your insurance company: \_\_\_\_\_ Policy No. \_\_\_\_\_
5. State what and how incident occurred: CITY OF ATL. SANITATION TRUCK  
BACKED INTO APT. BUILDING BEHINDING  
INMAN HILLS APARTMENTS

6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: \_\_\_\_\_  
(make) (year) (tag number) (driver's name)

City vehicle: SANITATION TRUCK # M32101-18449  
(make) (City driver's name) (department/bureau)

8. Witness: (RESIDENT) LEE YAWN 1067 ALTA AVE. N.E. #20  
(name) (address) (telephone number)

9. The acknowledgement of this claim in no way waives the Governmental immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

JERRY STAFER - PROPERTY MANAGER  
(claimant's name)

3235 ROSWELL RD. SUITE 400  
(address)

ATL. GA. 30305  
(city and state)

(404) 846-8170 (404) 264-0000  
(work number) (home number) ext. 20

RCS# 3092  
9/04/01  
3:36 PM

Atlanta City Council

Regular Session

MULTIPLE

Public Safety Consent Agenda except #15

1245

ADOPT

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE